


**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

STEPHEN MICHAEL MOBLEY,	:	
Petitioner,	:	
	:	Case No. 3:08cv00285
	:	Case No. 3:02cr00005
vs.	:	
	:	District Judge Timothy S. Black
UNITED STATES OF AMERICA,	:	Magistrate Judge Sharon L. Ovington
	:	
Respondent.	:	
	:	

DECISION AND ENTRY

The Court has conducted a de novo review of the Report and Recommendations of United States Magistrate Judge Sharon L. Ovington (Doc. #229), to whom this case was originally referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** said Report and Recommendations. It is therefore **ORDERED** that:

1. The Report and Recommendations filed on May 6, 2010 (Doc. #229) is ADOPTED in full;
2. Petitioner Stephen Michael Mobley's Amended Motion to Vacate, Set Aside or Correct Sentence (Doc. #214) is DENIED with prejudice and DISMISSED as to Grounds Three and Four Only of Such Motion; and
3. This Matter Remains on the Docket of This Court as to Grounds One and Two Only of Petitioner's Amended Motion to Vacate, Set Aside or Correct sentence (Doc. #214), pending an evidentiary hearing to be held before United States Magistrate Judge Sharon L. Ovington.



Timothy S. Black
United States District Judge